

AN ORDINANCE 100641

AUTHORIZING THE EXECUTION OF TWO ASSIGNMENTS OF AGREEMENT WHICH TRANSFER ALL RIGHTS AND OBLIGATIONS OF FATHER FLANAGAN'S GIRLS AND BOYS TOWN OF SAN ANTONIO IN TWO DELEGATE AGENCY CONTRACTS TO THE NEWLY CREATED ENTITY CALLED THE GIRLS AND BOYS TOWN OF SAN ANTONIO IN CONNECTION WITH THE FAMILY PRESERVATION SERVICE TO HOMELESS FAMILIES AND ASSESSMENT AND SHORT TERM RESIDENTIAL PROGRAM PROJECTS.

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WHEREAS, pursuant to Ordinance No. 99725 passed and approved on September 16, 2004. the City entered into a delegate agency contract executed on October 16, 2004 (the "Agreement") with Father Flanagan's Girls and Boys Town of San Antonio (the "Assignor") for a project entitled "Assessment of Short-Term Residential Program; and

WHEREAS, pursuant to Ordinance No. 99077 passed and approved on April 15, 2004 the City also entered into a delegate agency contract executed on June 3, 2004 (the "Agreement") with Father Flanagan's Girls and Boys Town of San Antonio (the "Assignor") for a project entitled "Family Preservation Services to Homeless Families"; and

WHEREAS, the City has been informed by the Assignor of the creation of a 501(c)(3) entity called "Girls and Boys Town of San Antonio", and

WHEREAS, Father Flanagan's Girls and Boys Town of San Antonio desires, as Assignor, to convey and assign Assignor's interest under the Agreement to the Girls and Boys Town of San Antonio (the "Assignee"); and

WHEREAS, Assignee's desire is to assume from Assignor's all of Assignor's rights, title and interest to the Agreement, and all of Assignor's benefits and obligations thereunder; and

WHEREAS, Assignee has satisfied the City that it is financially able to undertake the obligations of Assignor under said Agreements and the City desires to give its consent to Assignor's assignment of Assignor's interest in the Agreements to Assignee and to Assignee's assumption of Assignor's obligations thereunder; and

WHEREAS, Section 23.1 of both Agreements states that "Contractor [Father Flanagan's Girls and Boys Town of San Antonio] shall not assign or transfer contractors interest in this contract or any portion hereof, without the written consent of the City Council of San Antonio"; **NOW THEREFORE:**


BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council of the City of San Antonio hereby consents to the assignment of all rights and obligations from Father Flanagan's Girls and Boys Town of San Antonio to Girls and Boys Town of San Antonio contained in the delegate agency contract executed on October 16, 2004 for the project entitled "Assessment and Short Term Residential Program" and for the delegate agency contract executed on June 3, 2004 for the project entitled "Family Preservation Services to Homeless Families". The Interim City Manager, or his designee, or the Director of the Department of Community Initiatives is authorized to execute two Assignments of Agreement as described herein. The Interim City Manager, or his designee, or the Director of the Department of Community Initiatives is furthered authorized to execute any and all necessary documents in connection with the said assignments of agreement. Copies of both Assignments of Agreement are attached hereto and incorporated herein for all purposes as Attachment I.

SECTION 2. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the Interim City Manager, or the Interim City Manager's designee, create specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts, and correct allocations thereto, as necessary to carry out the purpose of this Ordinance.

SECTION 3. This ordinance shall become effective on and after April 17, 2005.

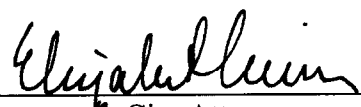
PASSED AND APPROVED this 7th day of April, 2005.


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney